

Appl. No. : **10/618,900**
Filed : **July 14, 2003**

AMENDMENTS TO THE DRAWINGS

Applicant requests to amend Fig. 3 to include reference numerals indicating an upper plate, a lower plate, and an interior, which are recited in the claims. A "Replacement Sheet" for the sheet of drawings being amended can be found in the Appendix. The specification has also been amended to reflect the amendment to Fig. 3. No new matter has been added. Approval of this amendment is respectfully requested.

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REMARKS

Claim 1 has been amended to specify the configuration of the evaporation plate. Support can be found in Figs. 2A, 2B, and 3, and page 11, paragraph 46, for example. Claim 5 has been amended to delete the "cooler" without prejudice. Claims 9-11 have been amended for clarification. Claims 22-24 have been added. Support for Claims 23 and 24 can be found in Figs. 2A and 2B, for example. Support for Claim 22 can be found in paragraph 6 of page 2 and paragraphs 9 and 10 of page 3, for example.

Fig. 3 and the specification have been amended to include reference numerals indicating an upper plate, a lower plate, and an interior, which are recited in the claims.

Applicant respectfully requests entry of the amendments and reconsideration of the application in view of the amendments and the following remarks.

Affirmation of Provisional election

Applicant affirms herein the provisional election of Group I, Claims 1-11, drawn to a wafer processing apparatus. Group II, Claims 12-21, has been canceled as being directed to a non-elected invention.

Rejection Under 35 U.S.C. § 112, first paragraph

Claim 5 has been rejected under 35 U.S.C. § 112, first paragraph, with regard to the term "cooler". Applicant traverses this rejection. One of ordinary skill in the art could readily understand that a cooler can be installed in the same way as is a heater. However, Applicant has amended Claim 5 in order to expedite prosecution of this application. Applicant respectfully requests withdrawal of this rejection.

Drawing Objection

The drawings have been objected to under 37 C.F.R. § 1.83(a), because the "cooler" and "hollow plate having an upper plate, a lower plate, and an interior therebetween" are not shown. The "cooler" has been deleted from the claims. Fig. 3 has been amended to include reference numerals indicating "an upper plate, a lower plate, and an interior therebetween". Applicant respectfully requests withdrawal of this objection.

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Rejection of Claims 1-7 Under 35 U.S.C. § 103

Claims 1-7, 9, and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayakawa in view of Lee. Claim 1 is independent and has been amended to recite "said evaporation plate having a vaporization surface formed in a convex shape having a center under the orifice, said upper surface having pores unevenly distributed in the vicinity of its periphery, wherein the liquid raw material flows on the vaporization surface toward the pores". The above recitation includes a limitation of previous Claim 10 which has not been rejected on this ground. Thus, this rejection should be withdrawn.

Rejection of Claim 8 Under 35 U.S.C. § 103

Claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayakawa and Lee in view of Strang. Claim 8 depends from Claim 1. As described above, Claim 1 as amended herein includes a limitation of previous Claim 10 which has not been rejected on this ground. Thus, this rejection should be withdrawn.

Rejection of Claim 10 Under 35 U.S.C. § 103

Claim 10 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayakawa and Lee in view of Ku. Claim 10 depends from Claim 1. Claim 1 has been amended to recite "said evaporation plate having a vaporization surface formed in a convex shape having a center under the orifice, said upper surface having pores unevenly distributed in the vicinity of its periphery, wherein the liquid raw material flows on the vaporization surface toward the pores". In Claim 1, the liquid raw material flows on the vaporization surface toward the pores which are unevenly distributed in the vicinity of its periphery. In contrast, in Ku, passages 60, 62 and a center hole 70 are arranged (Figs. 1 and 4). Further, in Ku, the dispersion plate 34 disperses the dilute process gas (page 4, paragraph 46), not a liquid material. Thus, Ku could not render Claim 1 obvious. Hayakawa and Lee are irrelevant to the above features. Thus, a combination of Hayakawa, Lee, and Ku could not lead to Claim 1. Claim 10 depends from Claim 1, and also could not be obvious. Applicant respectfully requests withdrawal of this rejection.

New Claims

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Claims 22-24 have been added. These claims depend ultimately from Claim 1. Further, the features recited in these claims are not taught or suggested by any of the references. Thus, these claims also should not be obvious over the references.

CONCLUSION

In light of the Applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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